

LAWRENCE K. BAERMAN, CLERK

MAY 20 2008

FILED
SYRACUSE, NY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AARON JABLONSKI and CHRISY
JABLONSKI,

DECISION AND ORDER

Plaintiffs,

v.

HARBOR FREIGHT TOOLS USA, INC.
and CHICAGO ELECTRIC MFG. INC.,

Civil Action No.
6:06-CV-01080
(NPM-GJD)

Defendants.

Upon reading and filing the Notice of Motion of defendants, Harbor Freight Tools USA, Inc. and Chicago Electric MFG. Inc., dated February 8, 2008, which seeks an Order dismissing the complaint for failure to prosecute pursuant to FRCP 41(b) and Local Rule 41.2(a) and for such other and further relief as to the Court may deem just and proper, and upon reading the Affidavit of Erin Mead, sworn to on the February 8, 2008, together with all exhibits attached thereto and Memorandum of Law; and plaintiffs failing to oppose or otherwise respond to same,

NOW, upon motion of Thorn, Gershon, Tymann & Bonanni, LLP, attorneys for defendants, Harbor Freight Tools USA, Inc. and Chicago Electric MFG. Inc., it is

ORDERED, that the motion is in all respects granted; and it is further

ORDERED, that the Complaint is dismissed with prejudice for

failure to prosecute pursuant to FRCP 41(b) and Local Rule
41.2(a).

DATED: 5/20, 2008

Neal P. McCurn
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